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patent attorneys

December 13, 2004

I hereby cartify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Patty Wilson

Date of Signature December 13, 2004

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Re:

U.S. Patent Application Serial No. 09/965,135 for

NOVEL RECOMBINANT DNA VECTORS FOR GENE

THERAPY

Our Ref. No. 1406/206

MICHAEL J. CROWLEY

BENTLEY J. OLIVE

Sir:

\*CHRIS PERKINS, PH.D.

"JAMES DALY IV, PH.D.

JEFFREY CHILDERS, PH.D.

OF COUNSEL SOROJINI BISWAS

"LICENSED ONLY IN CA "I ICENSED ONLY IN KY Please find enclosed the following:

- Request for Continued Examination (RCE) Transmittal (1 pg) in 1. duplicate;
- 2. After Final Amendment (13 pgs);
- 3. Request for Change from Large Entity Status to Small Entity Status (1 pg); and
- 4. Copy of Notice of Recordation of Assignment (Exhibit A) (4 pgs).

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. <u>50-0426</u>.

Respectfully submitted.

JENKINS, WILSON & TAYLOR, P.A.

Arles A. Taylor, Jr.

Registration No.: 39,395

AAT/ptw **Enclosures** 

Customer No: 25297

DATE:

## JENKINS, WILSON & TAYLOR, P.A.

## **PATENT ATTORNEYS**

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WEBSITE: WWW.JENKINSWILSONTAYLOR.COM

DATE:	December 13, 2004	
TO:	Art Group Unit 1600 (for Group 1648)	
FAX NO.:	(703) 872-9306	
FROM:	Arles A. Taylor, Jr.	(ptw)
RE:	Serial No. 09/965,135; Atty Docket No. 1406/206	
NUM	IBER OF PAGES TO FOLLOW: 21	
	ussion is poor, or if you do not receive all pages, please 493-8000 as soon as possible.	
Attachments:	Transmittal letter (1 pg);	

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Request for Continued Examination (RCE) (1 pg)

Small Entity Status (1 pg);

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(4 pgs).

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U.S. Patent and Tradsmark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Request 09/965,135 Application Number for September 27, 2001 Filing Date Continued Examination (RCE) Walter H. Gunzburg First Named Inventor Transmittal Address to: 1648 Art Unit Mail Stop RCE Commissioner for Patents Foley, Shannon Examiner Name P.O. Box 1450 Alexandria, VA 22313-1450 1406/206 Attorney Docket Number This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s), Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. I. Consider the arguments in the Appeal Brief or Reply Brief previously filed on Other Enclosed X Amendment/Reply I. Information Disclosure Statement (IDS) iii. Affidavit(s)/ Declaration(s) Other Miscellaneous Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. Fees The Director is hereby authorized to charge the following fees, or credit any overpayments, to a. X Deposit Account No. 50-0426 \_\_\_. I have enclosed a duplicate copy of this sheet. RCE fee required under 37 CFR 1.17(e) i. Extension of time fee (37 CFR 1.136 and 1.17) Other iil. Check in the amount of S \_ enclosed Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Signature Date December 13, 2004 Name (Print/Type) Registration No. CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Tredemark Office on the date shown below. Name (Print/Type) Patty Wilson
This collection of information Date December 13, 2004 This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the IndMdual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. 12/15/2004 NROCHA1 00000018 500426 09965135 395.00 DA

## DUPLICATE FOR DEPOSIT ACCOUNT

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Under the Papenrork Reduction Act of 1995, no persons are received	U.S. Patent and Trad- irred to respond to a collection of inform	emerk Office; U.S. DEPARTMENT OF COMMERCE	
Request for	Application Number	09/965,135	
Continued Examination (RCE)	Filing Date	September 27, 2001	
Transmittal	First Named Inventor	Walter H. Gunzburg	
Address to: Mail Stop RCE	Art Unit	1648	
Commissioner for Patents	Examiner Name	Foley, Shannon	
P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket Number	1406/206	
This is a Request for Continued Examination (RCE) Request for Continued Examination (RCE) practice under 37 C 1995, or to any design application. See Instruction Sheet for RC	under 37 CFR 1.114 of the ab	ove-identified application.	
<ol> <li>Submission required under 37 CFR 1.114 No amendments enclosed with the RCE will be entered in the applicant does not wish to have any previously filed uner amendment(s).</li> </ol>	e Ottlet in which they were flort im	laco appliant lactarida ett	
a. Previously submitted. If a final Office action is considered as a submission even if this box is	outstanding, any amendments filed not checked.	d after the final Office action may be	
I. Consider the arguments in the Appeal B		on	
b. X Enclosed		ļ	
I. X Amendment/Reply	iii. 🔲 Information	Disclosure Statement (IDS)	
ii, Affidavit(s)/ Declaration(s)	lv. Dther		
a. Suspension of action on the above-identified a paried of months. (Period of suspense b. Other The RCE fee under 37 CFR 1.17(e) is require.  The Director is hereby authorized to charge the Deposit Account No. 50-0426	d by 37 CFR 1.114 when the RCE	er S7 CFR 1.17(I) required)  Is filed.	
i. X RCE fee required under 37 CFR 1.17(e)	Thave criticised a dublica	te copy of this sneet	
ii. X Extension of time fee (37 CFR 1.736 and 1.	17)		
III. Other	·		
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ereby certify that this correspondence is being deposited with the United dressed to: Mall Stop RCE. Commissioner for Patents, P. O. Box 1450, fice on the date shown below.	Chatan Gundal Camban with a start of	nstage as first class mall in an envelope b transmitted to the U.S. Patent and Trademark	•
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his collection of information is required by 87 GFR 1,114. The information process) an application. Confidentiality is governed by 85 U.S.C. 122 cickuling gathering, preparing, and submitting the completed application to end time you require to complete this form end/or suggestions in adomark Office, U.S. Department of Commerce, P.O. Box 1450, Alex DDRESS. SEND TO: Mall Stop RCE, Commissioner for Paten if you need assistance in completing to	n is required to obtain or retain a benefit and 37 CFR 1.11 and 1.14. This collect time to the USPTO. The will vary depen or reducing this burden, should be sent sandria, VA 2233-1450. DO NOT SEE fits. P.O. RAY 1450. Alexandria. V.	10h is estimated to take 12 minutes to complete, adding upon the individual case. Any comments on the to the Chief Information Officer 19 Peter 1 THIS 10 THIS	1
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